

## INITIATIVE 209

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 209 to the Legislature is a true and correct copy as it was received by this office.

1       AN ACT Relating to national initiative, referendum and electronic  
2       voting; and creating new sections.

3       BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

4       NEW SECTION.   **Sec. 1.** Be it adopted and enacted by the legislature  
5       of the state of Washington that it hereby applies to the Congress of  
6       the United States, under the authority of Article V of the United  
7       States Constitution, that Congress hereby call a constitutional  
8       convention, to be independent of, and not subject to rule by, Congress,  
9       for the purpose of considering section 3 of this act as an amendment to  
10      the United States Constitution together with consideration of any and  
11      all other proposals for amendments to the United States Constitution by  
12      the several states together with any other business the convention may  
13      deem necessary and proper for its consideration.

14      NEW SECTION.   **Sec. 2.** Recognizing that no state is empowered by  
15      the Constitution to write a specific proposed amendment, that this  
16      power is specifically limited to either Congress or a constitutional  
17      convention, the legislature hereby requests the constitutional  
18      convention to consider proposing an amendment as outlined in Section 3  
19      of this application and submitting it to the several states for their  
20      ratification.

1        NEW SECTION.    **Sec. 3.**    The proposed amendment shall include the  
2 following provisions:

3        (1) All acts of Congress, regardless of their nature, shall be  
4 subject to review and approval by means of electronic initiative,  
5 referendum or general vote as shall properly apply. Electronic vote  
6 shall replace all other forms of voting and shall include the right of  
7 election and selection, both methods of voting must be employed in  
8 balloting as they shall properly apply.

9        (2) All United States Supreme Court decisions, or any decision of  
10 any inferior court, whether of the United States or of the several  
11 states, after suffering all possible court appeal, in which the ruling  
12 determines an act of the legislature, either state or national, or any  
13 regulation, executive action, or court ruling in which it is determined  
14 by the court that same decision, act, regulation, action is  
15 unconstitutional and contrary to the United States Constitution, must,  
16 before becoming a final and effective ruling, be submitted to review  
17 and approval by the people in electronic ballot. If the people shall  
18 reject the court ruling, then the court's ruling shall be determined to  
19 have been overruled. There shall be no appeal to this vote except by  
20 a like vote.

21        (3) The Supreme Court, or any inferior court, either of the United  
22 States or of the several states, are forbidden from finding any  
23 election by the people, either in federal elections or in the several  
24 states on any issue, to be void or unconstitutional and only any  
25 election by the people shall have the power to overturn an election.  
26 Elections by the people shall be considered supreme to any other act of  
27 the government. However, should the question be poised to the court  
28 regarding fraud in the election or other irregularities, the court upon  
29 so determining, may act to void the election and provide for a new  
30 election.

31        (4) All Presidential actions, unless they shall be specifically and  
32 expressly designated in the Constitution as powers of the President to  
33 act, must, upon the submission of a referendum questioning the same, be  
34 approved by a vote of the people through electronic ballot.

35        (5) All regulation, act, rule or decision by any agency, bureau or  
36 department of the United States government, or of the several states,  
37 shall be subject to electronic initiative and referendum before such  
38 regulation, act, rule or decision may take effect and, may be changed  
39 or voided by a vote of the people at any time after such regulation,  
40 act, rule or decision is approved.

1       (6) Any increase tax increase proposed by the Congress, must,  
2 before it shall take effect, be approved by the people through  
3 electronic vote with at least sixty percent of those voting granting  
4 approval for the same.

5       (7) It shall be a mandatory death penalty for any citizen of the  
6 United States to in any way tamper, interfere, effect, or otherwise  
7 distort any electronic vote of the people. The sentence, once  
8 determined in court, shall suffer no appeal of any type to any higher  
9 court or executive.

10       (8) Any tampering, interference, effectuation or distortion of any  
11 electronic vote of the people by any foreign source, either sovereign  
12 or individual, shall be considered an act of war by the United States.

13       (9) The Congress, by law, shall establish full access for all  
14 citizens for the purposes of electronic voting and shall appropriate  
15 such funds as are required to accomplish the same. The government  
16 shall provide full disclosure of all records it possess necessary or  
17 required for the purpose of electronic voting regarding any issue that  
18 may be raised either in initiative or referendum. A court procedure  
19 shall be established for releasing said records and the burden of proof  
20 not to release said record shall fall entirely upon the government.  
21 Information to be withheld in this manner shall be as minimal and  
22 specific as possible and no generalized defense to obstruct or  
23 otherwise delay such release of records shall be allowed.

24       (10) This amendment shall be construed to provide the people the  
25 broadest possible control of the United States government and no action  
26 of the government shall therefore be exempt from the provisions of this  
27 amendment nor shall this amendment be construed in any way restricting  
28 the right of the people to regulate their government though lawful  
29 electronic vote.

30       (11) All electioneering for office either federal or among the  
31 several states, together with any electioneering regarding any issue  
32 placed for electronic vote, either in general or special election,  
33 together with initiative and referendum, shall be limited to that means  
34 and method of vote.

35       (12) All electioneering done under electronic voting must be  
36 sourced as to the identity of the sender, and all electioneering  
37 information must be linked. All servers shall be secure.

38       (13) The government, except as is required to establish and  
39 maintain the specifications of electronic voting, is forbidden from  
40 otherwise regulating the medium known as the Internet or any equivalent  
41 system, unless such regulation shall first be approved by at least two-

1 thirds of those voting in a special election. No regulation or act, in  
2 the United States or the several states, may be proposed which shall  
3 reduce or remove the right of electronic vote and its authority to  
4 regulate the government.

5 (14) In addition to the two methods of amendment specified in  
6 Article V of this Constitution, amendments to the United States  
7 Constitution may be proposed by electronic initiative. Such an  
8 initiative shall be first presented for vote and amendment by the  
9 people who shall approve by a majority vote such changes and  
10 alterations as they deem proper. The measure shall then be re-  
11 submitted to the people with such approved changes and alterations. No  
12 further change or alteration of the proposed amendment shall be  
13 permitted. The proposed amendment must suffer a two-thirds vote of  
14 approval of those voting before being ratified. Upon ratification,  
15 under any of the methods of amending the Constitution, a designated  
16 officer specified under law, who shall have no discretion in the  
17 matter, shall pronounce the amendment ratified and such amendment shall  
18 be considered valid and in full effect to all intents and purposes as  
19 part of the United States Constitution.

20 (15) The power to approve treaties shall be removed from the Senate  
21 of the United States. All treaties shall be submitted for approval to  
22 a vote of the people and shall not be approved unless two-thirds of  
23 those voting shall approve.

24 (16) The Congress, with approval of the voters as prescribed above,  
25 shall have the power to prescribe legislation for this amendment in  
26 order to carry out its provisions.